

BOWMAN AND BROOKE LLP
Mike H. Madokoro (SBN: 146970)
Gregory P. Gilmer (SBN: 212067)
879 West 190th Street, Suite 700
Gardena, California 90248
Telephone: (310) 768-3068
Facsimile: (310) 719-1019

Attorneys for Defendant
ECOLAB INC.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

JOYCE SHARON FREDRICKSON
and JERRY FREDRICKSON,

Plaintiffs,

v.

HOLIDAY RETIREMENT CORP.;
HILLTOP ESTATES; ECOLAB
INC.; AND DOES 1 THROUGH 25,
Inclusive,

Defendants.

**Civil Case No.: CIV.S-04-01061 WBS
CMK**

(Removed from Shasta County Superior
Court, Case No. 151501)

**STIPULATION AND ORDER TO
EXTEND DATES PERTAINING TO
EXPERT WITNESS DISCLOSURE AND
PRE-TRIAL STATEMENTS**

Action Filed: April 22, 2004
Discovery Cut-Off: May 13, 2005
Motion Cut-Off: July 1, 2005
Trial Date: October 25, 2005

WHEREAS the Status (Pre-Trial) Order issued by this Court set
June 27, 2005, as the last day for parties to disclose their experts and
produce expert reports in accordance with Federal Rule of Civil Procedure
26(a)(2);

WHEREAS the Status (Pre-Trial) Order issued by this Court set
August 1, 2005, as the last day for the parties to serve their supplemental
expert disclosures and produce supplemental expert reports in accordance
with Federal Rule of Civil Procedure 26(a)(2);

///

1 WHEREAS the Status (Pre-Trial) Order issued by this Court set
2 August 10, 2005, as the last day for plaintiffs' counsel to mail or
3 electronically serve a pre-trial statement pursuant to Local Rule 16.281(b);

4 WHEREAS the parties have agreed to participate in a mediation
5 before the Honorable Noel Watkins, Ret. on July 22, 2005 at 9:30 a.m. at
6 420 Pine Street, Red Bluff, California 96080;

7 IT IS HEREBY STIPULATED AND AGREED by and between all
8 parties, through their respective attorneys of record, that the last day for
9 the parties to disclose their experts and produce expert reports in
10 accordance with Federal Rule of Civil Procedure 26(a)(2) will be July 29,
11 2005;

12 IT IS FURTHER STIPULATED by and between all parties, through
13 their respective attorneys of record, that the last day for the parties to serve
14 their supplemental disclosures and produce supplemental expert reports
15 will be August 12, 2005; and,

16 IT IS FURTHER STIPULATED by and between all parties, through
17 their respective attorneys of record, that the last day for plaintiffs' counsel
18 to mail or electronically serve a pre-trial statement pursuant to Local Rule
19 16-281(b) will be August 17, 2005; and,

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 IT IS FURTHER STIPULATED that this Stipulation may be signed in

1 counterparts and that facsimile signatures will be accepted.

2 IT IS SO STIPULATED.

3 DATED: June __, 2005

LAW OFFICES OF JAMES A. WYATT

6 By: _____

James A. Wyatt
Attorneys for Plaintiffs JOYCE
SHARON FREDRICKSON and
JERRY FREDRICKSON

10 DATED: June __, 2005

NISSON & PINCIN

12 By: _____

Timothy J. Nisson
Attorneys for Defendant HILLTOP
RETIREMENT RESIDENCE II
LIMITED PARTNERSHIP

15 DATED: June __, 2005

BOWMAN AND BROOKE LLP

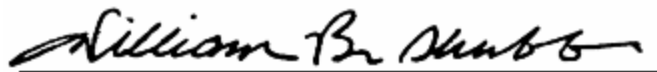
18 By: _____

Mike H. Madokoro
Gregory P. Gilmer
Attorneys for Defendant
ECOLAB INC.

22 **ORDER**

23 IT IS SO ORDERED.

25 DATED: June 15, 2005

26 

WILLIAM B. SHUBB

27 **PROOF OF SERVICE** UNITED STATES DISTRICT JUDGE

28 1013A (3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action; my business address is 879 West 190th Street, Gardena, California 90248.

On June 14, 2005, I served the foregoing document(s) described as **STIPULATION AND ORDER TO EXTEND DATES PERTAINING TO EXPERT WITNESS DISCLOSURE AND PRE-TRIAL STATEMENTS** to all interested parties [X] by placing a true copy thereof enclosed in (a) sealed envelope(s), addressed as follows:

SEE ATTACHED SERVICE LIST

[X] BY U.S. MAIL: [X] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day, during the ordinary course of business, with postage thereon fully prepaid at Gardena, California. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

[] BY PERSONAL SERVICE: I caused to be delivered such envelope by hand to the addressee.

[] BY FACSIMILE: The document(s) were transmitted by facsimile transmission to each of the parties at the facsimile number(s) listed on the attached service/ mailing list and the transmission(s) reported as complete and without error. The facsimile machine I used complied with the California Rules of Court, Rule 2003 and no error was reported by the machine. Pursuant to California Rules of Court, Rule 1006(d), I caused the facsimile machine to print a transmission record of the transmission.

Executed on June 14, 2005, at Gardena, California.

[X] (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Vivian Gomez

Joyce Sharon Fredrickson, et al. v. Holiday Retirement Corp., et al.
United States District Court, Case No. CIVS-041061 WBS GGH
(Removed from Shasta County Superior Court, Case No. 151501)

Service List

James A. Wyatt, Esq.
LAW OFFICES OF JAMES A.
WYATT
2130 Eureka Way
Post Office Box 992338
Redding, CA 96099-2338
Telephone: (530) 244-6060
Facsimile: (530) 244-6069

Attorneys for Plaintiffs
JOYCE SHARON FREDRICKSON and
JERRY FREDRICKSON

(ALSO SENT ELECTRONICALLY)

Timothy J. Nisson, Esq.
NISSON & PINCIN
Post Office Box 991966
Redding, California 96099-1966
Telephone: (530) 246-4201
Facsimile: (530) 246-1426

Attorneys for Defendant
HILLTOP RETIREMENT RESIDENCE II
LIMITED PARTNERSHIP